

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY DIVISION**

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) Criminal Case No. 5:18-cr-00026-03
)
JOSHUA RADCLIFFE,)
Defendant.)

ORDER

This matter came on for hearing on *the Petition for Action on Conditions of Pretrial Release* (ECF No. 510) and *Amendment to the Petition on Conditions of Release* (ECF No. 514). The defendant appeared in person and by counsel, Michael Whitt, CJA Panel Attorney, and the United States was represented by Monica Coleman, Assistant United States Attorney. Also present was Kachine Jones, United States Probation Officer.

The defendant admitted to the violations and therefore, the Court **FINDS**: 1) by a preponderance of the evidence that the defendant has violated the terms of his supervised release; 2) by a preponderance of the evidence that there are no conditions or sets of conditions that would assure the defendant's appearance at trial; and 3) that, by clear and convincing evidence, there are no conditions or sets of conditions that would reasonably assure the safety of others and the community. Therefore, the Court **ORDERS** that the defendant's bond be revoked and that he be detained in the custody of the U.S. Marshal at the Southern Regional Jail and Correctional Facility (SRJ) until the trial of this matter or until further order of the Court. The Court will entertain a motion for the Court to reconsider the Court's actions at such time as the defendant and his counsel believe that conditions have changed that would justify the Court to reconsider.

By Order entered on April 4, 2019, the Court ordered that the defendant be held on suicide watch due to comments he made to his probation officer (see ECF No. 515). Based upon representations by the defendant and his counsel, it does not appear that the defendant has been evaluated by a mental health professional as of the entry of this Order. Therefore, it is hereby **ORDERED** that the authorities at the SRJ shall have the defendant evaluated by a mental health professional forthwith to evaluate whether the defendant shall be continued on suicide watch. The Administrator of the SRJ **shall** provide the Court with any and all evaluations regarding the defendant's mental health and current mental health status and the mental health professional's opinion regarding the necessity of continuation of the defendant on suicide watch. If the Court then agrees with the recommendation, the Court will issue an appropriate Order regarding the continuation of suicide watch. However, until such time, the Defendant is **ORDERED** held by the SRJ in suicide watch.

The Clerk is **DIRECTED** to provide a copy of this Order to the defendant, to all counsel of record, to the United States Probation Department, to the United States Marshals Service and to Michael Francis, Administrator of the SRJ via facsimile.

ENTERED: April 9, 2019.



Omar J. Aboulhosn
United States Magistrate Judge